



**Z-09-09-001**

**City of Greensboro Planning Department  
Zoning Staff Report and Plan Amendment Evaluation**

**Zoning Commission Hearing Date: September 14, 2009**

**GENERAL INFORMATION**

<b>APPLICANT</b>	Jack Johnson
<b>HEARING TYPE</b>	Rezoning
<b>REQUEST</b>	<b>RS-9</b> (Residential-Single Family) and <b>LI</b> (Light Industrial) to <b>CD-LB</b> (Conditional District-Limited Business)
<b>CONDITIONS</b>	1. Uses: All uses permitted in the Limited Business zoning district <b>except</b> gasoline service station.
<b>LOCATION</b>	3108, 3110, 3110-R1, 3112, 3112-R1, 3114 and 3114-R1 North Church Street, generally described as the east side of Church Street between Charles Street and Broadview Street.
<b>PARCEL ID NUMBER (S)</b>	00-00-0297-0-0005-00-010, 00-00-0297-0-0005-00-013, 00-00-0550-0-0001-00-023, 00-00-0550-0-0001-00-019, 00-00-0550-0-0001-00-020, 00-00-0550-0-0001-00-021 and 00-00-0550-0-0001-00-022
<b>PUBLIC NOTIFICATION</b>	The notification area for this public hearing was 600 feet (Chapter 30-9-1.2 of the City Ordinance requires notification of the owner of that parcel of land and the owners of all parcels of land adjoining and contiguous to that parcel of land as shown on the County tax listing). <b>100</b> notices were mailed to those property owners in the mailing area.
<b>TRACT SIZE</b>	~4.66 Acres
<b>TOPOGRAPHY</b>	Slopes to the northeast
<b>VEGETATION</b>	Partly bare earth and partly residential landscaping

**SITE DATA**

**Existing Use** Single-Family house and an undeveloped tract

	<b>Adjacent Zoning</b>	<b>Adjacent Land Uses</b>
N	LI (Light industrial)	Vacant
E	LI (Light industrial)	Undeveloped
W	RS-9 (Residential-Single Family)	Church, florist and single-family house
S	RS-9 (Residential-Single Family)	Single-Family house

**Zoning History**

<b>Case #</b>	<b>Date</b>	<b>Request Summary</b>
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This property has been zoned RS-9 since July 1, 1992. Prior to the implementation of the Unified Development Ordinance (UDO), it was zoned RES 120 S

**ZONING DISTRICT STANDARDS****District Summary \***

Zoning District Designation:	Existing (RS-9)	Existing (LI)	Requested (CD-LB)
Max. Density:	4 dwelling units per acre	N/A	N/A
Typical Uses	Primarily intended to accommodate high density single-family detached dwellings in developments where public water and sewer service is required.	Primarily intended to accommodate limited manufacturing, wholesaling, warehousing, research and development, and related commercial/service activities, which in their normal operations have little or no adverse effect upon adjoining properties.	Primarily intended to accommodate moderate intensity shopping and services close to residential areas. The district is established to provide locations for businesses, which serve nearby neighborhoods.

*\*These regulations may not reflect the actual requirements for all situations; see the City of Greensboro Zoning Code for actual regulations for site requirements for this zoning district.*

**SPECIAL INFORMATION****Overlay District Ordinance/Historic Preservation**

None

**Environmental/Soils**

Water Supply	N/A
Watershed	
Floodplains	N/A
Streams	50ft stream buffer is required. First 30ft undisturbed, next 20ft max.BUA 50%, no occupied structures allowed.
Other:	If any development is proposed and disturbed area is greater than 1 acre then Phase II rules must be met.

**Airport Noise Cone**

The subject property is not located in the Airport Noise Cone.

**Landscaping Requirements**

<b>North</b>	Type D Yard – minimum width 5'; 2 understory trees per 100'; 18 shrubs per 100'
<b>South</b>	Type D Yard – minimum width 5'; 2 understory trees per 100'; 18 shrubs per 100' and a Type A Yard – avg. width 50'; 4 canopy trees per 100'; 10 understory trees per 100'; 33 shrubs per 100'
<b>East</b>	Type D Yard – minimum width 5'; 2 understory trees per 100'; 18 shrubs per 100'
<b>West</b>	Street Yard - minimum width 8'; 2 canopy tree per 100', 17 shrubs per 100'

**Tree Preservation Requirements**

<b>Acreage</b>	<b>Requirements</b>
<b>4.66 ac.</b>	All trees 4" or greater DBH which are located within the required planting yards

**Transportation**

Street Classification	Church Street – Major Thoroughfare.
Site Access	All commercial access(s) must be designed and constructed to the City of Greensboro standards.
Traffic Counts:	Church Street ADT = 10,951 (2007).
Trip Generation:	N/A.
Sidewalks	Sidewalks are a requirement of the Development Ordinance. 5' sidewalk with a 5' grass strip is required along both sides of thoroughfares. 5' sidewalk with a 3' grass strip is required along one side (at a minimum, collectors may require sidewalk on both sides) of all other street types. There is no sidewalk along the frontage of this area nor are there any plans to construct sidewalk in the area.
Transit in Vicinity	Yes, route 3, N. Church Street.
Traffic Impact Study (TIS)	No, not required per TIS Ordinance. Based on the conditions the applicant is adding, a TIS will not be required at this time.
Street Connectivity	N/A.
Other	N/A.

## **IMPACT ANALYSIS**

### **Land Use Compatibility**

The proposed **CD-LB** (Conditional District-Limited Business) zoning would allow land uses that are generally compatible with the general character of the area.

### **Connections 2025 Comprehensive Plan Policies**

The Generalized Future Land Use Map designates this location as **Mixed Use Commercial**. The requested **CD-LB** (Conditional District-Limited Business) zoning district is consistent with this GFLUM designation.

### **Connections 2025 Written Policies**

Reinvestment/Infill Goal: Promote sound investment in Greensboro's urban areas, including Center City, commercial and industrial areas, and neighborhoods.

POLICY 4C: Promote new patterns and intensities of use to increase economic competitiveness and enhance quality of life in urban areas.

Economic Development Goal: Promote a healthy, diversified economy with a strong tax base and opportunities for employment, entrepreneurship and for-profit and non-profit economic development for all segments of the community, including under-served areas such as East Greensboro.

POLICY 7A.2: Encourage "home-grown" and community-based businesses and entrepreneurs with special emphasis on increasing the number of minority-owned businesses in traditionally underserved parts of the community.

### **Connections 2025 Map Policies**

Mixed Use Commercial: This designation is intended to promote a mix of uses, of which various commercial uses remain predominant, but where residential, service, and other uses are complementary. Where applied to older highway corridors characterized by "strip" commercial uses, the intent is to encourage infill and redevelopment for a more diverse and attractive mix of uses over time. Examples include residential units over commercial uses or a wider array of economically viable uses to replace obsolete uses. Such areas also may represent opportunities for the introduction of substantial higher density and/or mixed-income housing, with negligible impacts on, or resistance from, nearby single-family neighborhoods. Ensuring that buildings are of the appropriate scale and intensity is critical, as is ensuring that sites are designed in a coordinated, as opposed to a lot-by-lot, manner. New "strip" commercial development is discouraged.

## **CONFORMITY WITH OTHER PLANS**

**Other Plans - N/A**

### **Staff/Agency Comments**

#### **Water Resources**

N/A

**Housing and Community Development**

The long term development trend on the east side of North Church Street in this area seems to indicate that existing residential uses will continue to shift toward non-residential uses. As such, this proposal appears to be consistent with that trend. Stability and long term quality of life for existing residential uses on the west side of North Church Street will depend strongly upon ensuring that the non-residential development trend in this area remains confined to the east side of North Church Street. Applicant is strongly encouraged to discuss this proposal with representatives of the adjacent New Irving Park neighborhood.

**Planning**

The 4.66 acre parcel is located at the east side of Church Street between Charles Street and Broadview Street. This part of the city is generally in transition from old residential developments to varying densities and intensities of commercial, industrial and office uses. This request is not contradictory to the intent and purpose of the Zoning Code since the LB zoning district is primarily intended to accommodate moderate intensity shopping and services close to residential areas. Also, the district is established to provide locations for businesses, which serve nearby neighborhoods. Staff would like to point out that the LB zoning district is not intended to attract passer-by traffic nor to be used as a regional commercial center as far as scale and intensity is concerned.

The Generalized Future Land Use Map designates this site as Mixed Use Commercial. The intent of this Mixed Use Commercial land use designation is to encourage infill and redevelopment for a more diverse and attractive mix of uses such as a wider array of economically viable uses to replace older, abandoned uses. Ensuring that buildings are of the appropriate scale and intensity is as critical as is ensuring that sites are designed in a coordinated, as opposed to a lot-by-lot, manner.

This rezoning request if approved will help promote a diverse mix of uses in the general area especially along North Church Street. It will also promote a healthy, diversified economy with a strong tax base and opportunities for employment and entrepreneurship while at the same time promoting sound investment in Greensboro's urban areas. New patterns and intensities of use will also be promoted to increase economic competitiveness and enhance quality of life in the general area.

Staff believes that this request is consistent with the intent and purpose of the zoning code and the Comprehensive Plan (Connections 2025). Staff is also of the opinion that the request is compatible with the existing development and trend in the surrounding area.

**STAFF RECOMMENDATION**

Staff recommends **approval** of the requested **CD-LB** (Conditional District-Limited Business) zoning district.